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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/183,282	10/30/1998	ANTHONY A. SHAH-NAZAROFF	042390.P6489	2949

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EXAMINER	
COLBERT, ELLA	

ART UNIT	PAPER NUMBER
3624	#16

DATE MAILED: 05/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PRG

Office Action Summary	Application No.	Applicant(s)	
	09/183,282	SHAH-NAZAROFF ET AL.	
	Examiner	Art Unit	
	Ella Colbert	3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 April 2002* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☒ Interview Summary (PTO-413) Paper No(s). *16* .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Response to Amendment

1. Claims 1-27 are presented for examination. Claims 28-33 have been added in the communication filed 01/16/02 entered as Amendment D, paper no. 14.

2. Claims 1, 6, 11, 13, 15, and 28 have been amended in the communication filed 04/03/01 entered as Supplemental Amendment E, paper no. 15.

Specification

3. The amendment filed 04/03/02 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: Claims 1, 6, and 28 "accessing instructions linked to the selectable identifier" and claims 11, 13, and 15 "the query interface to execute instructions linked to the identifier that require a search engine to be performed in the data engine." These claim limitations are not interpreted by the Examiner as being defined or disclosed in Applicants' Specification.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-10 and 15-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn (US 5,945,987).

With respect to claim 1, Dunn teaches obtaining a record corresponding to a first entertainment selection (col. 2, lines 45-64); presenting a first set of entertainment system data in the obtained record corresponding to the first entertainment selection on a display device (col. 3, lines 4-12); presenting a selectable identifier corresponding to the first set of entertainment system data on the display device (col. 2, lines 57-64); receiving a selection of the selectable identifier (col. 2, lines 53-67 and col. 3, lines 1-12); accessing instructions linked to the selectable identifier (col. 3, lines 13-41); performing a search for a second entertainment selection having a corresponding second set of entertainment system data related to the first set of entertainment system data ... (col. 3, lines 13-25, col. 8, lines 43-67, col. 9, lines 1-2, fig. 5 (102, 106, & 108), & fig. 6 (110, 112, & 114)); presenting a result of the search on the display device (col. 3, lines 26-61). Dunn did not teach, performing a search for a second entertainment selection having a corresponding second set of entertainment system data related to the first set of entertainment system data when a selectable identifier is selected, but it would have been obvious to one having ordinary skill in the art at the time the invention was made, to implement the performance of a search for a second selection corresponding to the first selection in view of Dunn's teachings of a star list first being displayed and a second list of movie titles in which the

actor appears being displayed (col. 3, lines 7-10), because it is well known in the art for a user to be able to select the movies, the actor/actress, and the time to have the second selection by the same actor/actress displayed. A user can display program schedule information for any of the selected plurality of television programs in an overlaying relationship with a television program appearing on any one of the selected plurality of channels on the television.

With respect to claim 2, Dunn teaches obtaining a record comprises referencing ... the first entertainment selection in a database (col. 3, lines 20-25).

With respect to claim 3, Dunn teaches presenting the selectable identifier comprises generating a distinguishable identifier ... (col. 9, lines 3-20).

With respect to claim 4, Dunn teaches performing the search comprising searching a database for the entertainment system data related to the first set of entertainment system data (col. 8, lines 43-67 and col. 9, lines 1-2).

With respect to claim 5, Dunn did not teach, presenting the result of the search comprises displaying the result of the search in a synopsis box on the display device, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to present the result of the search by displaying the search result in a synopsis box on a display device and to modify in Dunn because such a modification would allow Dunn's entertainment system to display the summary information containing information about a movie synopsis for a program with the title highlighted in the program list. This would reduce the possibility that errors will be introduced when two programs share the same title.

With respect to claim 6, this independent claim is rejected for the similar rationale given for claim 1.

Dunn teaches, a computer-readable medium for storing a sequence of instructions to perform the steps of claim 6 (col. 4, lines 51-62).

With respect to claim 7, this dependent claim is rejected for the similar rationale given for claim 2.

With respect to claim 8, this dependent claim is rejected for the similar rationale given for claim 3.

With respect to claim 9, this dependent claim is rejected for the similar rationale given for claim 4.

With respect to claim 10, this dependent claim is rejected for the similar rationale given for claim 5.

With respect to claim 15, this independent claim is rejected for the similar rationale given for claim 1.

With respect to claim 16, Dunn teaches a search of the records of an entertainment system is data received from different sources (col. 2, lines 45-56).

With respect to claim 17, Dunn teaches entertainment selections are selected from a group comprising programs, software applications, and files (col. 2, lines 30-36 and lines 51-64 and col. 5, lines 30-35). Dunn did not teach, music selections or Internet broadcasts, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to

have entertainment selections to be selected from a group of music selections and Internet broadcasts and to modify in Dunn because such a modification would provide a user with a convenient way of searching for selections in a category of his /her interests from different sources.

With respect to claim 18, Dunn teaches performing the search comprises performing the search in accordance with instructions stored with the first set of entertainment system data to find other entertainment selections (col. 3, lines 13-25, col. 5, lines 43-53, and col. 8, lines 50-67).

With respect to claim 19, Dunn teaches the second set of entertainment data is related to the first set of entertainment data in that an item of data corresponding to the same trait is the same for both sets of data (col. 8, lines 60-67 and col. 9, lines 1-9).

With respect to claim 20, this dependent claim is rejected for the similar rationale given for claim 16.

With respect to claim 21, this dependent claim is rejected for the similar rationale given for claim 17.

With respect to claim 22, this dependent claim is rejected for the similar rationale given for claim 18.

With respect to claim 23, this dependent claim is rejected for the similar rationale given for claim 19.

With respect to claim 24, this dependent claim is rejected for the similar rationale given for claim 20.

With respect to claim 25, Dunn teaches the database interface unit searches the database in accordance with instructions that it retrieves from storage with the first set of entertainment system data (col. 3, lines 4-25).

With respect to claim 26, Dunn teaches non-selectable text corresponding to entertainment system data of the first entertainment selection (col. 3, lines 20-34 and col. 5, lines 43-53).

With respect to claim 27, Dunn teaches the selectable identifier is presented so that it is distinguishable from non-selectable text (col. 8, lines 43-49).

With respect to claim 28, Dunn teaches obtaining a record at an entertainment system, the record containing descriptive data describing a first program (col. 5, lines 45-63); presenting the descriptive data on a display device of the entertainment system(col. 4, lines 53-57); presenting a selectable identifier on the display device, the selectable identifier corresponding to the descriptive data (col. 6, lines 1-7 and lines 40-46); and presenting a result of the search on the display device (col. 3, lines 26-61). Dunn did not teach, performing a search of records of the entertainment system based on the accessed instructions to identify a second program having descriptive data that is related to the descriptive data of the first program, but it would have been obvious to one having ordinary skill in the art at the time the invention was made, to implement the performance of a search of records of the entertainment system to identify a second program

having descriptive data of the first program in view of Dunn's teachings of a star list first being displayed and a second list of movie titles in which the actor appears being displayed (col. 3, lines 7-10), because it is well known in the art for a user to be able to display program schedule information for any of the selected plurality of television programs in an overlaying relationship with a television program appearing on any one of the selected plurality of channels on the television.

With respect to claim 29, this dependent claim is rejected for the similar rationale given for claim 8.

With respect to claim 30, Dunn teaches performing the search comprises searching a database of records for programs, the records having identifiers and a data portion for each identifier, the data portion containing the descriptive data (col. 2, lines 48-62).

With respect claim 31, this dependent claim is rejected for the similar rationale given for claim 20.

With respect to claim 32, this dependent claim is rejected for the similar rationale given for claim 22.

With respect to claim 33, the descriptive data of the second program is related to the descriptive data of the first program in that an item of data is the same in both (col. 7, lines 52-67 and coil. 8, lines 43-49).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al (US 6,157,411), hereafter Williams.

With respect to claim 11, Williams teaches a data parser that formats entertainment system data ... (col. 5, lines 64-67 and col. 6, lines 1-5 and lines 37-44), a data engine, coupled to the data parser, that stores the entertainment system data into a database ... (col. 6, lines 6-14), and a query interface, coupled to the database configuring a graphical user interface (GUI) (col. 4, lines 45-67, col. 5, lines 1-3, col. 6, lines 37-67, col. 7, lines 1-35, and fig. 3 (218). Williams did not teach an identifier corresponding to the first set of entertainment system data of a first entertainment selection, the identifier being selectable to display a second entertainment selection having a corresponding second set of entertainment system data related to the first set of entertainment system data, but it would have been obvious to one having ordinary skill in the art of at the time the invention was made to have an identifier corresponding to the first set of entertainment system data of a first entertainment selection, the identifier being selectable to display a second entertainment selection having a corresponding second set of entertainment system data related to the first set of entertainment system data and to modify in Williams

because such a modification would allow a user to display program schedule information for any of the selected plurality of television programs in an overlaying relationship with a television program appearing on any one of the selected plurality of channels on the television.

With respect to claim 12, Williams teaches a user interface unit that receives an identity of the identifier selected (col. 6, lines 1-44), a database interface unit coupled to the user interface for searching the database for the second entertainment selection having the corresponding second set of entertainment system data related to the first set of entertainment system data (col. 3, lines 13-25 and col. 6, lines 15-20) and the database interface unit, for displaying the identity of the second entertainment selection ... (col. 2, lines 37-44 and lines 51-56 and col. 3, lines 14-26). Williams did not teach a synopsis box building unit, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a synopsis box and to display an entertainment selection and to modify in Williams because such a modification would allow for the formatting of the displayed record with information about the selection to maximize the volume of data to be displayed and improve the efficiency of the system.

With respect to claim 13, this independent claim is rejected for the similar rationale as given for claim 11.

Williams teaches, a bus (col. 3, lines 52-56), a processor coupled to the bus (col. 10, lines 15-30 and fig. 5 (502 & 512), a system control agent coupled to the bus including a data parser (col. 4, lines 41-44, col. 5, lines 62-67, col. 6, lines 1-9, and fig. 2 (204, 206, 208, & 218).

With respect to claim 14, this dependent claim is rejected for the similar rationale given for claim 12.

Response to Arguments

8. Applicant's arguments filed have been fully considered but they are not persuasive.

1. Applicants' argue: Dunn's scrollable list does not correspond to any particular entertainment selection, nor to a selection for which a record was obtained, however, there is no first entertainment selection from which the second selection can be found has been considered but is not persuasive because Dunn has two lists (a title list and a star list) with the star and title corresponding in the first list and the second list as taught in col. 3, lines 4-10, col. 8, lines 43-67, col. 9, lines 1-2, fig. 5 (102, 106, & 108), & fig. 6 (110, 112, & 114).

2. Applicants' argue: In Applicants' illustrated embodiment, the user simply clicks on the name of a star in the displayed selection and a list of movies is generated and in Dunn the user must go from a display selection to a list and find the actor on the list, then select that actor has been considered but is not persuasive based on "the user simply clicking on the name of a star in the displayed selection and a list of movies being generated" is not disclosed or suggested in Applicants' claim limitations of claims 1-33. Language from Applicants' Specification is not read into Applicants' claim limitations.

3. Applicants' argue: the Examiner is suggesting that it is well known to select an actor from a display about a particular film and have a second film for the same actor displayed has been considered but is not persuasive as discussed in argument no. 1.

4. Applicants' argue: The Examiner acknowledges that Williams does not teach the features of the system control agent as recited in claim 11 but asserts that such a system control agent would be obvious has been considered but is not persuasive because the Examiner did not make the assertion "that such a system control agent would be obvious." The Examiner does not find the limitation the "system control agent" in claim 11.

Claim 13 recites "a system control agent, ...". The Examiner cited col. 4, lines 41-44, col. 5, lines 62-67, col. 6, lines 1-9, and fig. 2 (204, 206, 208, & 218) in the Williams reference.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is (703)308-7064. The examiner can normally be reached Monday through Thursday from 6:30 a.m. to 5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Vincent Millin, can be reached on (703)308-1065.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703)746-7238 for After Final communications or (703)746-7239 Official communications intended

Or:

(703)746-7240 Non-Official communications.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, Virginia, Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (703)305-3900.

E. Colbert

E. Colbert

May 1, 2002

VINCENT MILLIN
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